

# Photographs of People from Employer's Point of View

## Abstract

This thesis deals with capturing the image of employees and other people on photographs and use of these photographs by an employer. The aim is to address possibilities of using image of people, from its creation, publishing it or using it in different ways, to its erasure or destruction, all of that in labour law context.

This thesis is divided into three main chapters. The first part deals with protection of personality of an individual in Civil Code and Labour Code. It describes capturing the image of an employee and using the image with and without their consent.

Second chapter focuses on photographs in context of data protection, mainly with respect to processing photographs as personal data using legal titles in Art. 6 of Regulation (EU) 2016/679 of the European Parliament and Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

The findings from previous chapters are applied on practical situations in all stages of employment in the third chapter. Part of this chapter is dedicated to the responsibility of an employee to abide the creation of portrait and to the questions of photos in relation to health safety and preservation in employment. The conclusion sums up findings and underlines possible solutions.

## Key words

photography, personality protection, personal data, image, employment